

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kensuke KOMATSU et al.  
Appl. No. : 10/767,334  
Filed : January 30, 2004  
For : FLUORESCENT PROBE FOR ZINC  
Group Art Unit : Not Yet Assigned  
Examiner : Not Yet Assigned  
Confirmation No. : 5231

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
U.S. Patent and Trademark Office  
220 20th Street S.  
Customer Window, Mail Stop \_\_\_\_\_  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir :

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98,  
Applicants hereby direct the Examiner's attention the following information:

J.G. REYES et al., Biol. Res., Vol. 27, pp. 49-56, 1994. Applicants note that this  
document is cited on page 1 of the specification of the present application;

M. TSUDA et al., The Journal of Neuroscience, Vol. 17, No. 17, September 1,  
1997, pp. 6678-6684. Applicants note that this document is cited on page 1 of the  
specification of the present application;

T. KOIKE et al., J. Am. Chem. Soc., Vol. 118, 1996, pp. 12696-12703.  
Applicants note that this document is cited on page 1 of the specification of the present  
application;

WO 01/62755, together with patent family member U.S. Patent Application Publication No. 2003/162298 A1. Applicants note that the International Patent Application Publication is cited on pages 2, 3, 10, 19, and 27 of the specification of the present application;

Japanese Laid-Open Patent Publication No. 2000-239272, together with an English language Abstract of the same, which is a family member of JP 11-040325. Applicants note that this document is cited on page 2 of the specification of the present application;

The subject matter of the present invention was disclosed in a Web site of the Pharmaceutical Society of Japan, on February 1, 2003, a copy of the screenshot is enclosed. It was then published in an Abstract of "The 123<sup>rd</sup> Annual Congress of the Pharmaceutical Society of Japan" on March 5, 2003 for presentation No. 29[P1]I-219 entitled "Development of Fluorescent Probe Having Low Affinity for Zinc" in the 123<sup>rd</sup> Annual Congress of the Pharmaceutical Socoity of Japan held on March 27-29, 2003.

U.S. Patent No. 6,441,197,

U.S. Patent No. 6,569,892;

U.S. Patent No. 6,656,927; and

U.S. Patent Publication No. US 2004/0147035 A1.

Further to the U.S. Patent and Trademark Office's decision to waive the requirement under 37 C.F.R. §1.98 (a)(2)(i), copies of the U.S. patents and U.S. patent application publication are not enclosed herewith. However, if any copies are needed, the Examiner is respectfully requested to contact the undersigned.

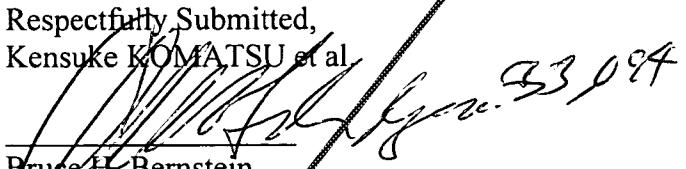
Further to the U.S. Patent and Trademark Office's decision to waive the requirement under 37 C.F.R. §1.98 (a)(2)(iii) if the U.S. patent application was filed before June 30, 2003 or was scanned into the image file wrapper system, copies of the U.S. applications are not enclosed herewith. However, if any copies are needed, the Examiner is respectfully requested to contact the undersigned.

Applicant respectfully requests that the Examiner consider the above material and cite the same. Copies of the above-noted foreign documents are attached hereto and all of the documents are listed on the attached PTO-1449 Form. The Examiner is requested to initial the appropriate spaces on the attached Form and to return a copy of the completed Form to Applicant with the next official communication in the present application.

Applicants note that an Office Action on the merits has not issued in the present application, and thus no fee is believed necessary to ensure consideration of the submitted material. However, if an Office Action on the merits has issued and is crossing this statement in the mail, the undersigned hereby authorizes the Commissioner to charge any fee necessary for the consideration of this statement, including any payment under 37 C.F.R. §1.17 (p) to Deposit Account No. 19-0089.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,  
Kensuke KOMATSU et al

  
Bruce H. Bernstein  
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November 5, 2004  
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